

Application No. 10/309,126
Amendment filed July 22, 2004
Reply to Office Action dated March 30, 2004

Attorney Docket No. 032566-034
Page 2 of 3

REMARKS

Claims 1-31 are pending, with claims 1, 16, 30 and 31 being in independent form.

At the outset, the Applicant acknowledges with appreciation the Office's consideration of the Information Disclosure Statements (IDSs) filed in June of 2001, and in February and December of 2002.

In the Office Action, claims 1-10, 13-15, 16-25, and 28-31 have been rejected for anticipation by U.S. Patent Publication No. 2003/0002495 to Shahar et al. ("Shahar"). Claims 11-12 and 26-27 have been rejected for obviousness over Shahar in view of U.S. Patent No. 5,416,787 to Kodama. The Applicant believes that the pending claims are allowable over the cited documents for the following reasons.

Each of the claim rejections raised in the Office Action are based in part on the teachings of Shahar. Shahar qualifies as prior art under Section 102(e) of the Patent Laws, and has effective date as a reference as of the filing date of the related Provisional Application No. 60/187,567, filed on March 7, 2000.

The Applicant is submitting, along with this paper, a signed affidavit under 37 C.F.R. § 1.131 establishing a date of reduction to practice of the subject invention prior to March 7, 2000—the effective date of Shahar as prior art. The affidavit is supported by the enclosed redacted copy of the Applicant's invention disclosure (Exhibit A). The invention disclosure was completed prior to March 7, 2000, and corresponds to the invention broadly disclosed and claimed in this application. Accordingly, all of the pending claims, which were rejected based at least in part on Shahar, are believed to be allowable.

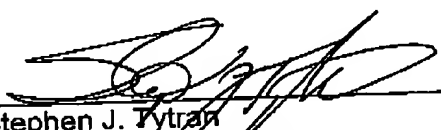
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Page 3 of 3

For the foregoing reasons, it is believed this application is in condition for allowance and an early Notice thereof is earnestly solicited. If any questions remain, the Examiner is invited to phone the undersigned at the below-listed number.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Stephen J. Tytran
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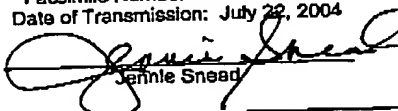
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Date: July 22, 2004

Attachments: Declarations (2) filed under 37 C.F.R. § 1.131
Exhibit A: Redacted Copy of Applicants' Invention Disclosure

I hereby certify that this correspondence is being sent by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the following facsimile number:

Facsimile Number: 703 872 9306
Date of Transmission: July 22, 2004


Jennie Snead